

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
**GREENVILLE** DIVISION

James Van Connor, individually and on behalf of a )	C/A No. <u>6:19-cv-2008-BHH</u>
class of all persons and entities similarly situated )	
Plaintiff(s), )	
)	
-versus- )	<b>THIRD AMENDED CONFERENCE</b>
)	<b>AND SCHEDULING ORDER</b>
Charter Communications, Inc )	
Defendant(s). )	

Pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court, the following schedule is established for this case.

1. All deadlines, including but not limited to pending deadlines to file or respond to motions to compel and respond to discovery, are hereby extended by 60 days from the current deadline set.
2. Motions to join other parties and amend the pleadings (Fed.R.Civ.P.16(b)(3)(A)) shall be filed no later than **May 11, 2020**.<sup>1</sup>
3. Plaintiff(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiff(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties by **January 19, 2021**.
4. Defendant(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Defendant(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties by **March 2, 2021**.
5. Plaintiff shall file any class certification motion by **April 13, 2021**.
6. Defendant shall file any opposition to class certification motion **45 days after** the motion is filed.
7. Plaintiff shall file any reply in support of class certification motion **30 days after** the opposition is filed.
8. All Discovery shall be completed no later than **May 18, 2021**. Discovery during the first 120 days following the date this order is entered is limited to whether Plaintiff has a viable individual claim. After the first 120 days, Defendant is permitted (but not required) to file an individual summary judgment motion, which will be decided before class discovery takes places. After the Court rules on Defendant's summary judgment motion, remaining discovery, including discovery on class

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<sup>1</sup> As a general rule, when no timely response is filed to any motion, the Court will grant the motion with the notation that it is being "granted *without opposition*."

certification, may proceed.

All discovery requests shall be served in time for the responses thereto to be served by this date. De bene esse depositions must be completed by discovery deadline. **No motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter as required by Local Civil Rule 7.02 and have had a telephone conference with Judge Hendricks in an attempt to resolve the matter informally. The request for a telephone conference should be made within the time limit prescribed by local rule for filing such motion.**

9. Mediation shall be completed in this case on or before **September 21, 2020**. See the Mediation Order filed in this case which sets forth mediation requirements.
10. All other motions, except those to complete discovery, those nonwaivable motions made pursuant to Fed.R.Civ.P. 12, and those relating to the admissibility of evidence at trial, shall be filed on or before **45 days** after a ruling on Plaintiff's class certification motion. (Fed.R.Civ.P.16(b)(3)(A)).
11. This case is subject to being called for jury selection and/or trial the later of **60 days** after all dispositive motions have been resolved. Once a specific jury selection and trial date are scheduled, a Notice will be issued at that time. The Notice will set forth deadlines for the Fed. R. Civ. P. 26(a)(3) pretrial disclosures and objections, Motions in Limine, Pretrial Briefs, and marking of exhibits.

**s/Bruce Howe Hendricks**  
Bruce Howe Hendricks  
United States District Judge

Dated: **April 9, 2020**  
Greenville, South Carolina

Pursuant to Local Civil Rule 83.I.06, this order is being sent to local counsel only.